

4. (Amended) A method for diagnosing glaucoma in a person, which comprises detecting genetic changes outside the GR gene which lead to altered GR β expression in a biological sample from such person.

A separate page with the claims as amended is enclosed with this Amendment.

REMARKS

Claims 1, 3, and 4 have been amended. Claims 1 – 5 are pending.

The Examiner has indicated that this application does not contain an abstract as required by 37 C.F.R. 1.72(b). Please note that we believe an abstract was filed in the PCT on November 14, 1997, however a copy of that abstract is enclosed with this Amendment.

The Examiner has objected to the Declaration as filed. A new Declaration has been signed by both inventors and is provided with this Amendment.

Claims 1 – 5 have been rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants respectfully traverse the rejection.

Specifically, the Examiner has stated that the terms “aberrant alternate splice form of the human glucocorticoid receptor (GR β),” “genetic changes,” “altered GR β expression,” and “changes outside” are indefinite. Applicants submit herewith the Declaration of Dr. Abbot Clark in which he explains why these terms are not indefinite, but rather clear to a person skilled in the art. Reconsideration is respectfully requested.

Claim 2 has been rejected due to improper Markush grouping. Applicants respectfully traverse the rejection.

Claim 2 is directed to a listing of assays of DNA analysis that can be used to detect GR β expression. These assays or methods; including denaturing gradient gel, are specifically set forth in the specification on Page 2, lines 25-29. Reconsideration is respectfully requested.

The Examiner has also stated that Claims 1 – 4 are indefinite for being incomplete for omitting essential elements and that these elements are necessary to achieve the goal